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November 3, 2020

BY ECF

Hon. Lorna G. Schofield  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl Street  
New York, NY 10007

Re: *Erdman v. Victor et al.*, 20-CV-04162-LGS

Dear Judge Schofield:

This firm represents Defendant Adam Victor in the above-captioned defamation action brought by *Pro Se* Plaintiff Tyler Erdman.

In ¶ 48 of his Amended Complaint (ECF No. 18), Mr. Erdman quotes directly from a document that I recently learned is currently under seal in *Khatskevich v. Victor, et al.*, Index No. 151658/2014 (Sup. Ct. N.Y. County). More specifically, the document in question was placed under seal pursuant to a sealed order issued by Justice Shlomo S. Hagler in that action on October 23, which was provided to me on October 30. By e-mail earlier today, my junior colleague John Whelan asked Mr. Erdman if he would consent to having that portion of his Amended Complaint placed under seal and replaced on the docket with appropriate redactions. Mr. Erdman did not expressly confirm or deny his consent, but rather insisted that since the document in question was public at the time he filed his Amended Complaint, he was under no obligation to seal it.

Accordingly, I am making this letter motion on behalf of Mr. Victor to have the relevant portion of Mr. Erdman's Amended Complaint sealed and replaced on the docket with appropriate redactions. I respectfully request leave to submit documents in support of this motion, including the relevant sealing order and related materials that are also under seal in the aforementioned action, for *in camera* review.

If the Court has any questions or concerns, I am available at the Court's convenience.

Respectfully submitted,



Jeffrey M. Eilender

Copies To:

Hon. Lorna G. Schofield  
September 24, 2020  
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*Pro Se* Plaintiff Tyler Erdman (by ECF)  
David Wolf, Counsel for Manhattan Place Condominium (by ECF)